# UNITED STATES PATENT AND TRADEMARK OFFICE

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|---|---|---|---|
| 10/616,107 | 07/09/2003 | John C. Artz JR. | VIGN1460-1 | 1669 |

| | | |
|---|---|---|
| 44654          7590          09/11/2007 | | |
| SPRINKLE IP LAW GROUP | | |
| 1301 W. 25TH STREET | | |
| SUITE 408 | | |
| AUSTIN, TX 78705 | | |

| EXAMINER |
|---|
| DUONG, OANH L |

| ART UNIT | PAPER NUMBER |
|---|---|
| 2155 | |

| MAIL DATE | DELIVERY MODE |
|---|---|
| 09/11/2007 | PAPER |

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

| | Application No. | Applicant(s) |
|---|---|---|
| **Office Action Summary** | 10/616,107 | ARTZ ET AL. |
| | Examiner | Art Unit | |
| | Oanh Duong | 2155 | |

*-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --*

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>03</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

1)☒ Responsive to communication(s) filed on *21 June 2007*.

2a)☒ This action is **FINAL**.  2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

4)☒ Claim(s) *1-20* is/are pending in the application.

     4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☐ Claim(s) *1-20* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

**Application Papers**

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

     a)☐ All  b)☐ Some *  c)☐ None of:

         1.☐ Certified copies of the priority documents have been received.

         2.☐ Certified copies of the priority documents have been received in Application No. _____.

         3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

     * See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

1)☐ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08)
     Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
     Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

## DETAILED ACTION

1.      Claims 1-20 are presented for examination.


2.      The text of those sections of Title 35, U.S. Code not included in this action can

be found in a prior Office action.


3.      Claims 1-21 are rejected under 35 U.S.C. 102(e) as being anticipated by Cofino.

et al. ("Cofino"), US 6,996,536 B1.


        Regarding claim 1, Cofino teaches a method of associating requests and events

comprising:

        receiving a set of HTTP request data including a request time stamp for each

HTTP request in a set of HTTP requests (*i.e., receive a group of requests or a first web

log entry, col. 4 lines 37-51, wherein each request including time stamp, col. 6 lines 54-

59)*;

        receiving a set of event data including an event time stamp for each event in a

set of events (*i.e., a set of shopping steps such as click-throughs basket placement, and

purchase,  Fig. 6 line 57-col. 8 line 5)*;

        associating each event from the set of events with a previous HTTP request from

the set of HTTP requests based on the event time stamps and request time stamps,

wherein each event is associated with the previous HTTP request that is closest in time

(*a previous HTTP request such as search for production P2 at time-stamp T1 and*

*events such a click-though A1 at time-stamp T1, Basket Placement A1 at time-stamp T8*

*and Purchase A1 at time-stamps T20. Those entries are associated in the first line of*

*table 601 of Fig. 6 with time sequence order T1, T6, T8 and T20).*

Regarding claim 2, Cofino teaches the method of claim 1, further comprising time

ordering the set of HTTP requests and time ordering the set of events *(i.e., requests are*

*sorted by timestamp, col. 6 lines 61-62).*

Regarding claim 3, Cofino teaches the method of claim 1, wherein at least one

event of the set of events is an application event *(col. 6 lines 49-53).*

Regarding claim 4, Cofino teaches the method of claim 3, wherein the at least

one application event includes the generation of dynamic content for a web page *(col. 6*

*lines 49-53).*

Regarding claim 5, Cofino teaches a method for associating requests with

events comprising:

receiving a set of HTTP request data representing one or more HTTP requests

associated with one or more users, wherein the set of HTTP request data includes a

request user identifier for each of the one or more HTTP requests and a request time

stamp for each of the one or more HTTP requests (col. 10 lines 35-43);

receiving a set of event data representing one or more events associated with
one or more users, wherein the set of event data includes an event user identifier (i.e.,
session/shopper ID) for each of the one or more events and an event time stamp for
each of the one or more events *(Fig. 6 col. 7line 14-col. 8 line 5)*;

determining a set of HTTP requests associated with a first user from the one or
more HTTP requests based on the request user identifiers (col. 7 lines 16-27);

determining a set of events associated with the first user from the one or more
events based on the event user identifiers (col. 7 lines 28-56); and

associating the set of events associated with first user and the set of HTTP
requests associated with the first user based on the event time stamp for each of the set
of events associated with the first user and the event time stamp for each
of the set of HTTP requests associated with the first user (i.e., session S1 or first user,
Fig. 6 col. 7 lines 16-col. 8 line 19).


Regarding claim 6, Cofino teaches the method of Claim 5, wherein associating
the set of events associated with the first user and the set of HTTP requests associated
with the first user further comprises associating each event of the set of events
associated with the first user with a previous HTTP request closest in time (i.e., micro-
conversion table for session S1, T, T3, T10, T12, Fig. 6 col. 7 lines 28-56).

Regarding claim 7, Cofino teaches the method of Claim 6, wherein in the event time stamp for each event and the request time stamp for each HTTP request are generated by synchronized clocks (col. 6 lines 59-61).

Regarding claim 8, Cofino teaches the method of Claim 6, wherein at least one event of the one or more events is an application event *(col. 6 lines 49-53)*.

Regarding claim 9, Cofino teaches he method of Claim 8, wherein the at least one application event includes the generation of dynamic content for a web page *(col. 6 lines 49-53)*.

Regarding claim 10, Cofino teaches the method of Claim 8, wherein the one or more events includes only application events (Fig. 11).

Regarding claims 11-16, those claims does recite or define any new limitation above claims 5-10, discussed above, same rationale of rejection is applicable.

Regarding claims 18-20, those claims does not recite or define any new limitation above claims 1-4, discussed above, same rationale of rejection is applicable.

*Response to Arguments*

4.      Applicant's arguments filed June 21, 2007 have been fully considered but they

are not persuasive.

In the remarks, applicants argued in substances that

(A) Prior art (i.e., Cogino et al.) does not disclose receiving a set of event data

including an event time stamp for each of event in a set of events and associating each

event from the set of events with a previous HTTP request from the set of HTTP

requests based on the event time stamps and request time stamps, wherein each event

is associated with the previous HTTP request that is closest in time.

As to point (A), Cogino does teach receiving a set of event data including an

event time stamp for each of event in a set of events and associating each event from

the set of events with a previous HTTP request from the set of HTTP requests based on

the event time stamps and request time stamps, wherein each event is associated with

the previous HTTP request that is closest in time. For example, referring to a first line of

table 601 of Fig. 6, a request P 1 has a time-stamp T1 in a first column; sequentially a

click-through event has a time-stamp T6, a basket placement event has timestamp T8,

and a purchase event has time-stamp T20. Those request and events are associated in

the first line of table 601 with each event (i.e., click-through A1) is associated with the

previous HTTP request (i.e., production impression P1) that is closest in time (i.e., T1,

T8).

As a result, the cited prior art does disclose a method of associating requests

and events as broadly claimed by the applicants. Applicants clearly have still failed to

identify specific claim limitations that would define a clearly patentable distinction over

prior arts.

## *Conclusion*

5.     **THIS ACTION IS MADE FINAL.**  Applicant is reminded of the extension of time

policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action.  In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action.  In no event, however, will the statutory period for reply expire later

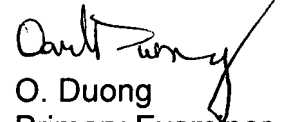than SIX MONTHS from the mailing date of this final action.


6.     Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Oanh Duong whose telephone number is (571) 272-

3983.  The examiner can normally be reached on Monday- Friday, 9:30PM - 6:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Saleh Najjar can be reached on (571) 272-4006.  The fax phone number for

the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

O. Duong
Primary Examiner
September 4, 2007